

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 8, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

MAUI

Issuance of Revocable Permit to Beach Games Spectacular, Inc. dba BGS Incentive Activities for Beach Volleyball Activity at Wailea Beach, Maui, Tax Map Key: (2) 2-1-23:seaward of 7.

APPLICANT:

Beach Games Spectacular, Inc. dba BGS Incentive Activities whose business and mailing address is Box 6044, Kamuela, Hawaii 96743.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui, identified as seaward of tax map key:(2) 2-1-023: seaward of 7, as shown on the attached Exhibit A.

AREA:

2,100 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Beach volleyball activity.

TERM:

From 10:00 am to 4:30 pm on January 26, 2010

RENTAL:

\$210.00 (Rental will be based on 10¢ per square feet per day.)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for the beach volleyball activity in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

BGS Incentive Activities is requesting a right-of-entry permit for the Apple group. The Day of Play event is scheduled for January 26, 2010 from 12:00 noon to 4:00 pm. The Apple group will have 260 participants. There will be other activities offered during this time on Grand Wailea's property. Set-up will be at 10:00 am and break down by 4:30 pm.

There are no other pertinent issues or concerns. Staff has no objection to this request.

RECOMMENDATION: That the Board

1. Authorize the issuance of a revocable permit to Beach Games Spectacular, Inc. dba BGS Incentive Activities covering the subject area for beach volleyball purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

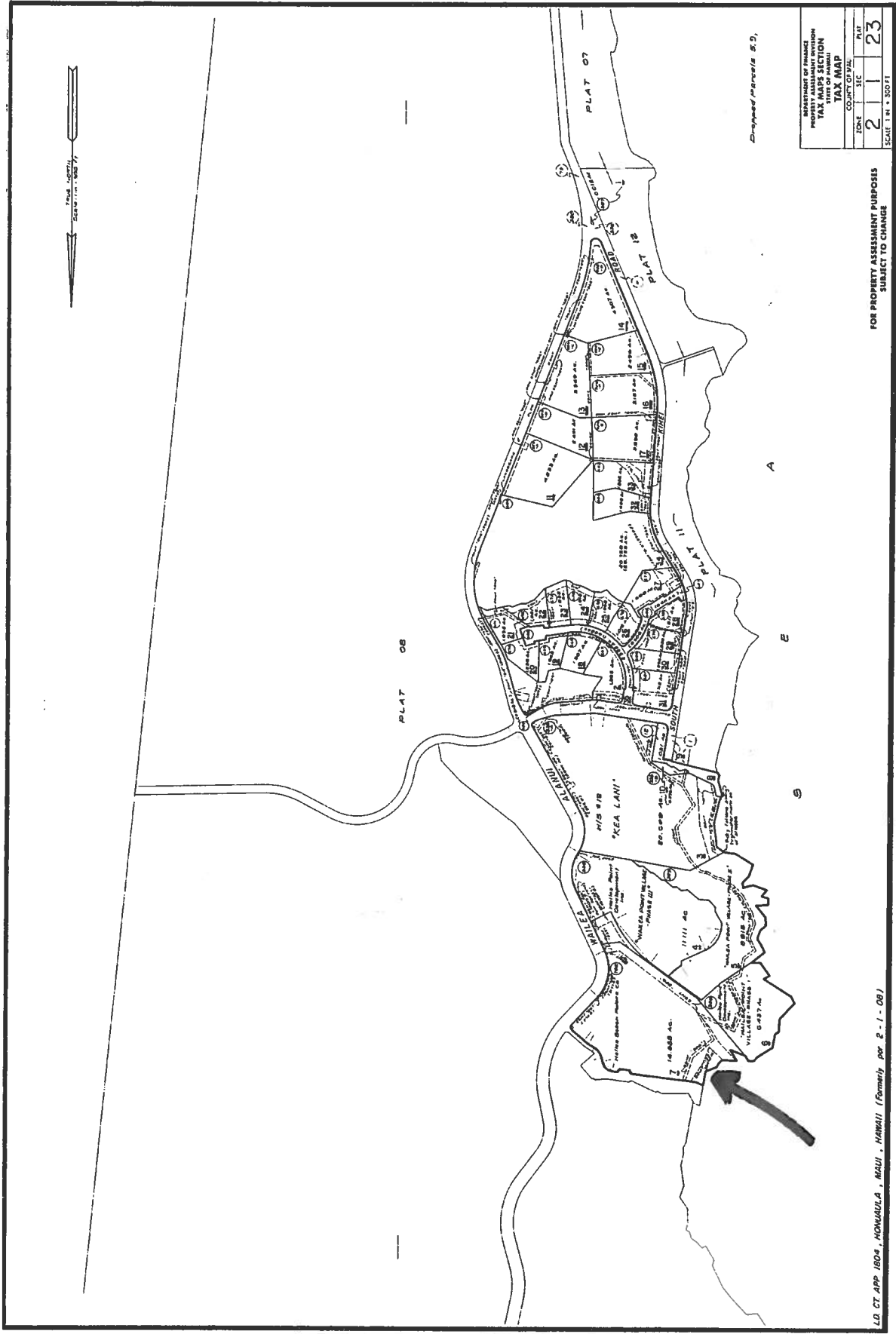


Charlene E. Unoki
Assistant Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



LD CT APP 180-4, HONOLULU, MAUI, HAWAII (Formerly pp. 2-1-08)

EXHIBIT "A"

January 26, 2010
Apple

~~Sound Sculpture~~ Volleyball

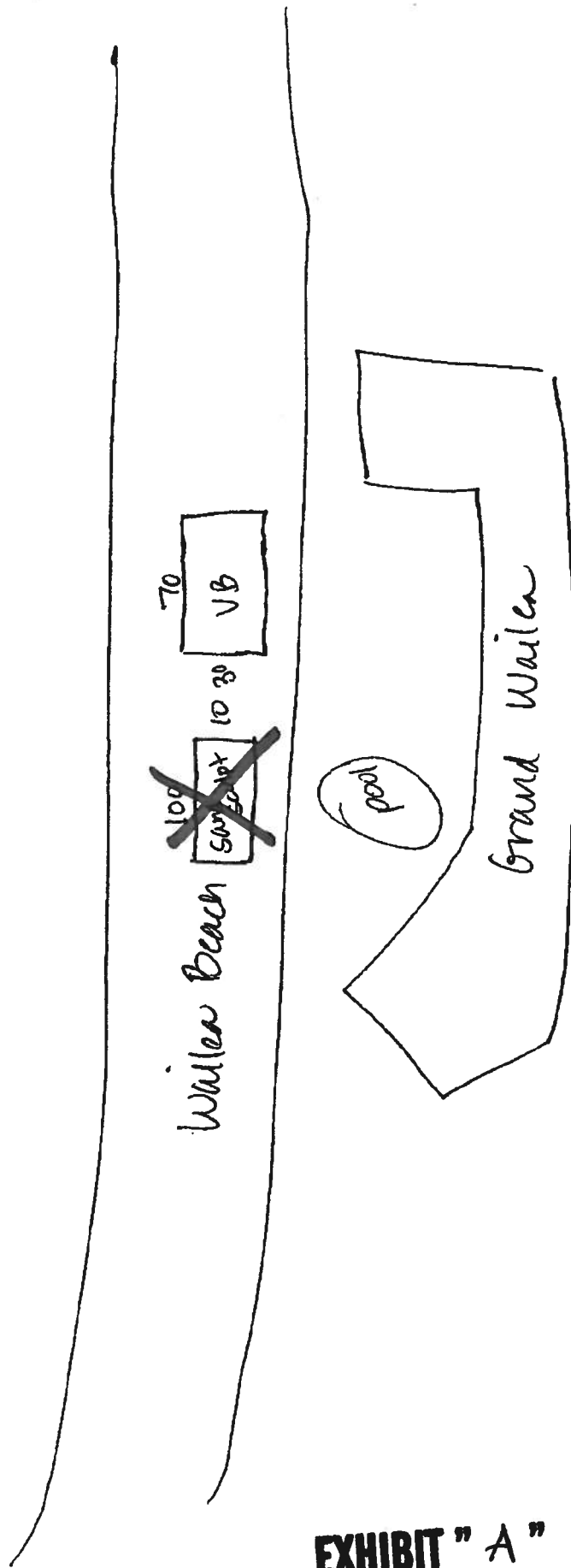


EXHIBIT "A"